

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 31, 2009**

**TO:** Honorable Byron Cook, Chair, House Committee on Environmental Regulation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB3423** by Burnam (Relating to the disposal of low-level radioactive waste from a state that is not an initial party state to the Texas Low-Level Radioactive Waste Disposal Compact.),  
**As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 401 of the Health and Safety Code to provide that a compact waste disposal facility license holder may not accept low-level radioactive waste (LLRW) generated in another state for disposal unless the waste is from a state that is an initial party state to the Texas Low-Level Radioactive Waste Disposal Compact (Texas Compact) or a party added under the terms of the Texas Compact and expressly authorized by statute to send LLRW to the compact waste disposal facility.

The Texas Compact, including Texas, Maine and Vermont, was ratified by the U.S. Congress in 1998. The Texas Compact authorizes the Texas Low-Level Radioactive Waste Disposal Compact Commission (Texas Compact Commission) to allow additional party states into the Texas Compact and to make agreements with entities outside of the Texas Compact to allow importation of low-level radioactive waste for management or disposal from those entities. In April 2002, the State of Maine passed emergency legislation to withdraw from the Texas Compact. The official withdrawal of Maine became effective in April 2004. The admission of a new party state to the Texas Compact requires a majority vote of the Texas Compact Commission and ratification by the Texas Legislature. If additional states are included in the Texas Compact by vote and ratification, there would be added revenue to the Host County and additional revenue as additional LLRW is consigned for disposal.

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 582 Commission on Environmental Quality

**LBB Staff:** JOB, WK, TL, HC